

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TIME SQUARE CONSTRUCTION, INC.,
:

Plaintiff,
:

- against -
:

BUILDING AND CONSTRUCTION TRADES
COUNCIL OF GREATER NEW YORK, *et al.*,
:

Defendants.
:
-----X

Case No. 07 CIV 7403
(Sullivan, J.)

ANSWER TO AMENDED COMPLAINT BY DEFENDANT TEAMSTERS LOCAL 282

Defendant Teamsters Local 282, affiliated with the International Brotherhood of Teamsters ("Local 282"), by its attorneys, Cohen, Weiss and Simon LLP, answers the complaint as it relates to Local 282, as follows:

1. To the extent that paragraph 1 contains factual allegations to which an answer would be required, Local 282 refers to the contents of the complaint as and for its response to paragraph 1.

2. To the extent that paragraph 2 contains factual allegations to which an answer would be required, Local 282 refers to the contents of the complaint as and for its response to paragraph 2.

3. To the extent that paragraph 3 contains factual allegations to which an answer would be required, Local 282 denies knowledge or information sufficient to form a belief as to the truth of any such factual allegations.

4. To the extent that paragraph 4 contains factual allegations to which an answer would be required, Local 282 denies knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph 4.

5. Paragraphs 5 through 16, and paragraph 18, appear to contain factual and other allegations directed at other defendants and to which no answer by Local 282 is required.

6. Local 282 admits the factual allegations in paragraph 17.

7. Local 282 denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 19 through contained in paragraph 43.

8. Local 282 denies the allegations contained in paragraph 44.

9. Local denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45 through 50.

10. Local 282 denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 51, except denies that it was motivated “to threaten , coerce, or restrain Time Square to cease doing business with the non-union affiliated subcontractors working at the Jobsite and hire only BCTC affiliated subcontractors”.

11. Local 282 denies the allegations in paragraph 52 to the extent they pertain to Local 282, and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 52.

AFFIRMATIVE DEFENSES

12. Plaintiff has failed to set forth facts or otherwise state a claim against Local 282 upon which relief could be granted against Local 282.

13. Plaintiff is not entitled under any circumstances to any damages from Local 282, including compensatory damages, attorneys’ fees and costs.

14. The factual allegations directed at Local 282, based solely on information and belief, are the predicate for an order directing plaintiff to pay Local 282 the attorney's fees and costs that it has and will necessarily incur in defending this action.

15. Local 282 has not participated in, authorized, or in any ratified any unlawful conduct directed at the plaintiff.

Dated: New York, New York
February 12, 2008

Respectfully submitted,

/s/ Bruce S. Levine
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